

ORIGINAL

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: APR 16 2019

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

LEONARDO FERNANDEZ,

Defendant.

SEALED INDICTMENT

19 Cr.

19 CRIM 267

COUNT ONE

The Grand Jury charges:

1. On or about December 18, 2018, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

2. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

JUDGE KOELT

COUNT TWO

The Grand Jury further charges:

3. On or about January 9, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

4. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT THREE

The Grand Jury further charges:

5. On or about January 15, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of

cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT FOUR

The Grand Jury further charges:

7. On or about January 22, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

8. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT FIVE

The Grand Jury further charges:

9. On or about January 24, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

10. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT SIX

The Grand Jury further charges:

11. On or about February 7, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

12. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT SEVEN

The Grand Jury further charges:

13. On or about February 14, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

14. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT EIGHT

The Grand Jury further charges:

15. On or about March 8, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

16. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of

cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

COUNT NINE

The Grand Jury further charges:

17. On or about March 19, 2019, in the Southern District of New York, LEONARDO FERNANDEZ, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

18. The controlled substance involved in the offense was mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(C).)

FORFEITURE ALLEGATION

19. As a result of committing the offenses charged in Counts One through Nine of this Indictment, LEONARDO FERNANDEZ, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of said offenses and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.


Substitute Assets Provision


20. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)


FOREPERSON


GEOFFREY S. BERMAN
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendant.

SEALED INDICTMENT

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(21 U.S.C. §§ 812, 841(a)(1), and 841(b)(1)(C).)

GEOFFREY S. BERMAN
United States Attorney.

A TRUE BILL

For person.

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